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Application Number	10/771,857
Filing Date	02/03/2005
First Named Inventor	Raymond N. Laymance
Art Unit	3634
Examiner Name	Hugh B. Thompson
Attorney Docket Number	
Total Number of Pages in This Submission	10

ENCLOSURES (Check all that apply)		
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Response to a first Office Action

Application No. 10/771,857

This communication is a response to a first office action having a mailing date of 04/01/2005 and setting forth a shortened statutory period for response which would expire on 07/01/2005.

Remarks and Arguments

The examiner has made a rejection under 35 U.S.C. 112 2nd § of claim 14 as being vague and indefinite for failure to provide an antecedent for "said stop member". The applicant agrees and will make appropriate corrections in claim 14.

Claims 1, 3 - 5, 7, 11, 12, 15, and 18 - 20 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Glenn US Patent No. 3,731,761. The applicant does not agree at all that Glenn's disclosure anticipates the above numbered claims. The basic concepts of Glenn's invention and applicants claimed invention are different from each other.

Glenn's invention is directed to a platform such as a dock to which a pivotal ladder is anchored by way of a bracket. The ladder at its other end is anchored or attached by way of a pivot to a floating deck 11. The floating deck can follow varying water levels by the way it is floated. It is a buoyant pier 10, col. 1, lines 58 - 60. There is a foam-like mass of buoyant material whereby the deck 11 is supported at a predetermined distance above the elevation of the surface of the water and thereby moves to different elevations as the surface of the water moves. The crux of Glenn's patent is that when the elevations of the water level changes, so does the attitude of the ladder. In order for the steps or the treads of the ladder to always stay in a horizontal plane, the steps are pivoted in their side rails to accomplish just that. The Pier 10 including the deck 11 is never intended to go below the surface of the water or under water. There is no mention at all of angles to be sustained and there are no